

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALEX E. RINEHART, etc.,

Plaintiff,

-against-

08 Civ. 5598 (LAK)

LEHMAN BROTHERS HOLDINGS INC., et al.,

Defendants.

-----x
JO ANNE BUZZO,

Plaintiff,

-against-

08 Civ. 6245 (LAK)

LEHMAN BROTHERS HOLDINGS INC., et al.,

Defendants.

-----x
MONIQUE MIELER FONG, etc.,

Plaintiff,

-against-

08 Civ. 6282 (LAK)

LEHMAN BROTHERS HOLDINGS INC., et al.,

Defendants.

-----x
MARIA DE SOUSA, etc.,

Plaintiff,

-against-

08 Civ. 6626 (LAK)

LEHMAN BROTHERS HOLDINGS INC., et al.,

Defendants.

-----x
ORDER

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>9/4/08</u>

LEWIS A. KAPLAN, *District Judge.*

IT IS HEREBY ORDERED, as follows:

1. These and any actions arising out of the same operative facts now pending or hereinafter filed in or transferred to this Court are hereby consolidated pursuant to Fed. R. Civ. P. 42(a).

2. Every pleading hereafter filed in these cases shall bear the following caption:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x

IN RE LEHMAN BROTHERS ERISA LITIGATION

08 Civ. 5598 (LAK)
and consolidated cases

----- x

3. When a case that arises out of the same operative facts as this action hereafter is filed in or transferred to this Court, it shall be consolidated with this action in accordance with paragraph 1, and the Clerk shall (a) file a copy of this order in the separate file for such action, (b) mail a copy of this order to the attorneys in the newly-filed or transferred action, and (c) docket the consolidation of these actions in the docket for both cases. Any party to a case consolidated pursuant to this order may object to the consolidation by filing an appropriate motion in this action no later than 14 days after the date the newly filed or transferred action first is docketed in this Court.

4. Interim lead counsel shall be responsible for

(a) Directing, coordinating and supervising plaintiffs' prosecution of the case in consultation with other plaintiffs' counsel.

(b) Communicating with the Court and defense counsel on behalf of

plaintiffs.

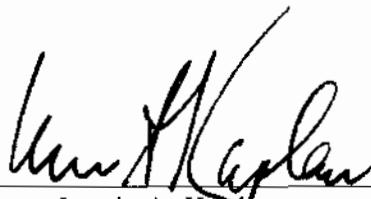
- (c) Conducting any settlement negotiations.
- (d) Coordinating the activities of plaintiffs' counsel to avoid duplication of effort.

5. Absent leave of the Court, no motion shall be filed on behalf of any plaintiff except by interim lead counsel.

6. Plaintiffs shall file a consolidated amended class complaint, which shall supersede all extant complaints, no later than October 14, 2008.

SO ORDERED.

Dated: September 4, 2008



Lewis A. Kaplan
United States District Judge